

PATENT MAINTENANCE
DIVISION

Dep 8 Ref



2006 AUG -4 PM 4: 21

PATENT

Customer No. 22,852

Attorney Docket No. 07040.0075-01

US PATENT & TRADEMARK

OFFICE IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Renato CARETTA

Application No.: 10/616,977

Filed: July 11, 2003

For: TYRE FOR A VEHICLE WHEEL

)
)
) Group Art Unit: 1733
)
) Examiner: Justin R. Fischer
)
) Confirmation No.: 2872
)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REFUND

On January 13, 2006, Applicant filed four terminal disclaimers along with Check Number 107171 in the amount of \$520.00, to cover the terminal disclaimer fees, and Check Number 107170 in the amount of \$1,020.00, for payment of a three-month extension of time. (See attachments). Both of these checks were cleared on January 31, 2005.

On January 17, 2006, Applicant filed four substitute terminal disclaimers. (See attachments). Since the fees for a three-month extension of time and the terminal disclaimers had already been paid on January 13, 2006, the January 17, 2006 submission did not include any further payment.

According to our accounting records, however, on January 18, 2006, the Patent Office charged our Deposit Account (no. 06-0916) \$520.00, or \$130.00 for each of the

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four substitute terminal disclaimers. Since the fee for the four terminal disclaimers had already been paid Check Number 107171 on January 13, 2006 (see Check Number 107171), our Deposit Account should not have been charged an additional \$520.00

Moreover, an additional check for a three-month extension of time, Check Number 107050 for \$1020.00, was also inadvertently credited to this application and cleared on December 31, 2005. Unfortunately, this check was intended for the payment of a fee relating to U.S. Patent Application No. 10/859,571 (Attorney Docket No.: 08049-0948.00). The payment of fees for U.S. Patent Application No. 10/859,571 have now been submitted through a separate check. Since payment for the three-month extension of time for the above-captioned application was already submitted on January 13, 2006, Check Number 107050 for \$1020.00 should not have been cashed by the Patent Office.

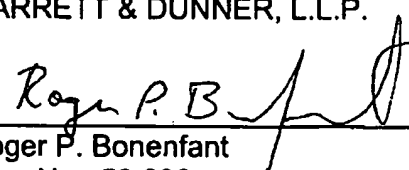
Accordingly, Applicant requests the Patent Office to credit our Deposit Account 06-0916 in the amount of \$1,540.00.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 28, 2006

By: _____


Roger P. Bonenfant
Reg. No. 58,030

Attachments:

- Filing papers associated with filing of Terminal Disclaimers for January 13 and 17, 2006.
- Front and back of Check No. 107050.
- Front and back of Check No. 107170.
- Front and back of Check No. 107171.

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AJS/LXG/DLS/RPB



PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In re Application of: Renato CARETTA

Application Serial No. 10/616,977

Group Art Unit: 1733

Filed: July 11, 2003

Examiner: Justin R. Fischer
Confirmation No.: 2872

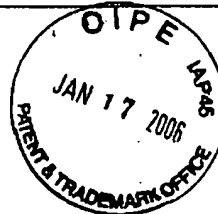
For: **TYRE FOR A VEHICLE WHEEL**

1. Transmittal Letter (1 page).
2. Terminal Disclaimer (U.S. Patent No. 6,814,119 B2) (3 pages).
3. Terminal Disclaimer (U.S. Patent No. 6,899,154 B2) (3 pages).
4. Terminal Disclaimer (U.S. Patent No. 6,457,504 B1) (3 pages).
5. Terminal Disclaimer (U.S. Patent No. 6,763,868 B1) (3 pages).

Dated: January 17, 2006

Attorney Docket No. 07040.0075.01000

RPB/cs - Mail Drop 1038



Delet 01.17.06 pm

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PATENT
Customer Number 22,852
Attorney Docket No. 7040.0075.01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Renato CARETTA) Group Art Unit: 1733
Application No.: 10/616,977) Examiner: Justin R. Fischer
Filed: July 11, 2003) Confirmation No.: 2872
For: TYRE FOR A VEHICLE WHEEL)

TRANSMITTAL LETTER

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

Enclosed are substitute Terminal Disclaimers for the Terminal Disclaimers filed on January 13, 2006, in reply to the Office Action of July 14, 2005. The substitute Terminal Disclaimers are being filed in the event that the United States Patent and Trademark Office does not accept the Terminal Disclaimers filed on January 13, 2006, which were which signed by Roger P. Bonenfant (Reg. No. 58, 030) who is not listed on the Declaration associated with this matter. The undersigned is listed on that Declaration. A petition for a three-month extension of time was filed on January 13, 2006, extending the period of response through January 17, 2006 (January 14, 2006, being a Saturday and January 16, 2006, being a Federal Holiday). The items checked below are attached:

- ☒ Terminal Disclaimer (U.S. Patent No. 6,814,119 B2) (3 pages)
- ☒ Terminal Disclaimer (U.S. Patent No. 6,899,154 B2) (3 pages)
- ☒ Terminal Disclaimer (U.S. Patent No. 6,457,504 B1) (3 pages)
- ☒ Terminal Disclaimer (U.S. Patent No. 6,763,868 B1) (3 pages)

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Dated: January 17, 2006

By:

Albert J. Santorelli
Reg. No. 22,610

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Renato Caretta) Group Art Unit: 1733
Application No.: 10/616,977) Examiner: Justin R. Fischer
Filed: July 11, 2003) Confirmation No.: 2872
For: TYRE FOR A VEHICLE WHEEL)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, **PIRELLI PNEUMATICI S.P.A.**, duly organized under the laws of Italy and having its principal place of business at **Viale Sarca 222 - 20126 MILANO, ITALY**, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. **10/616,977**, filed **July 11, 2003** for **TYRE FOR A VEHICLE WHEEL** in the names of Renato Caretta, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel **011752**, Frame **0231** on **April 30, 2001**. Assignee, **PIRELLI PNEUMATICI S.P.A.**, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. **6,814,119 B2**, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel **012450**, Frame **0116** on **November 29, 2001**.

BEST AVAILABLE COPY

To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. **6,814,119 B2**. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an

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extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 17, 2006

By: 

Albert J. Santorelli
Reg. No. 22,610

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Renato Caretta) Group Art Unit: 1733
Application No.: 10/616,977) Examiner: Justin R. Fischer
Filed: July 11, 2003) Confirmation No.: 2872
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. 6,899,154 B2. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an

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extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 17, 2006

By: 

Albert J. Santorelli
Reg. No. 22,610

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
Renato Caretta)	Group Art Unit: 1733
Application No.: 10/616,977)	Examiner: Justin R. Fischer
Filed: July 11, 2003)	
For: TYRE FOR A VEHICLE WHEEL)	Confirmation No.: 2872
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. **6,457,504 B1**, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 17, 2006

By: 

Albert J. Sarfatorelli
Reg. No. 22,610

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Renato Caretta

Application No.: 10/616,977

Filed: July 11, 2003

For: TYRE FOR A VEHICLE WHEEL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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) Group Art Unit: 1733
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) Examiner: Justin R. Fischer
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) Confirmation No.: 2872
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To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. **6,763,868 B1**. Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 17, 2006

By: 

Albert J. Santorelli
Reg. No. 22,610

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Renato CARETTA

Application No.: 10/616,977

Filed: July 11, 2003

For: TYRE FOR A VEHICLE WHEEL

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) Group Art Unit: 1733
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) Examiner: Justin R. Fischer
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) Confirmation No.: 2872
)
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR EXTENSION OF TIME

Applicant petitions for a three-month extension of time to reply to the Office
Action of July 14, 2005. A fee of \$1,020.00 is enclosed.

Please grant any extensions of time required to enter this response and charge
any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 13, 2005

By: Roger P. Bonenfant
Roger P. Bonenfant
Reg. No. 58,030

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Renato Caretta

Application No.: 10/616,977

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Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
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Dated: January 13, 2006

By: Roger P. Bonenfant
Roger P. Bonenfant
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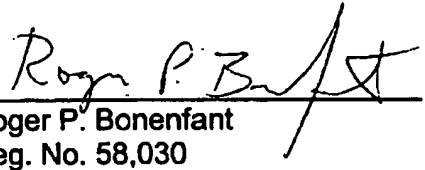
The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 13, 2006

By: _____


Roger P. Bonenfant
Reg. No. 58,030

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PATENT
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P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TERMINAL DISCLAIMER

Assignee, **PIRELLI PNEUMATICI S.P.A.**, duly organized under the laws of Italy and having its principal place of business at **Viale Sarca 222 - 20126 MILANO, ITALY**, represents that it is the assignee of the entire right, title and interest in and to the above-identified application, Application No. **10/616,977**, filed **July 11, 2003** for **TYRE FOR A VEHICLE WHEEL** in the names of Renato Caretta, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel **011752**, Frame **0231** on **April 30, 2001**. Assignee, **PIRELLI PNEUMATICI S.P.A.**, further represents that it is the assignee of the entire right, title and interest in and to U.S. Patent No. **6,899,154 B2**, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel **013281**, Frame **0106** on **July 26, 2002**.

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To obviate a double patenting rejection, assignee hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior patent No. 6,899,154 B2, Assignee hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that the prior patent later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer.

If a check for the required fee is not filed concurrently herewith or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an

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extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to Deposit Account No. 06-0916

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 13, 2006

By: Roger P. Bonenfant
Roger P. Bonenfant
Reg. No. 58,030

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Renato Caretta

Application No.: 10/616,977

Filed: July 11, 2003

For: TYRE FOR A VEHICLE WHEEL



) Group Art Unit: 1733

) Examiner: Justin R. Fischer

) Confirmation No.: 2872

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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FINNEGAN, HENDERSON, FARABOW
GARRETT & DUNNER, L.L.P.

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FINNEGAN, HENDERSON, FARABOW
GARRETT & DUNNER, L.L.P.

DETACH AND RETAIN THIS STATEMENT
THE ATTACHED CHECKS IS IN PAYMENT OF ITEMS DESCRIBED BELOW.
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

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PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In re Application of: Renato CARETTA

Application Serial No. 10/616,977

Group Art Unit: 1733

Filed: July 11, 2003

Examiner: Justin R. Fischer
Confirmation No.: 2872

For: **TYRE FOR A VEHICLE WHEEL**

1. Terminal Disclaimer (U.S. Patent No. 6,814,119 B2) (3 pages).
2. Terminal Disclaimer (U.S. Patent No. 6,899,154 B2) (3 pages).
3. Terminal Disclaimer (U.S. Patent No. 6,457,504 B1) (3 pages).
4. Terminal Disclaimer (U.S. Patent No. 6,763,868 B1) (3 pages).
5. Check in the amount of \$520.00 representing terminal disclaimer fee of \$130.00 x 4.
6. Check in the amount \$1,020.00 for three-month extension of time.

Dated: January 13, 2006

Attorney Docket No. 07040.0075.01000

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PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Renato Caretta) Group Art Unit: 1733
Application No.: 10/616,977) Examiner: Justin R. Fischer
Filed: July 11, 2003) Confirmation No.: 2872
For: TYRE FOR A VEHICLE WHEEL)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

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L/18/2006 HALI11 00000080 060916 10616977

I FC:1814 130.00 DA

Adjustment date: 08/24/2006 SDIRETA1
01/18/2006 HALI11 00000080 060916 10616977
01 FC:1814 130.00 CR



PATENT
Customer No. 22,852
Attorney Docket No. 07040.0075-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Renato Caretta) Group Art Unit: 1733
Application No.: 10/616,977) Examiner: Justin R. Fischer
Filed: July 11, 2003) Confirmation No.: 2872
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01 FC:1814 130.00 DA

Adjustment date: 08/24/2006 SDIRETA1
01/18/2006 HAL111 00000079 060916 10616977
01 FC:1814 130.00 CR



PATENT
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Filed: July 11, 2003) Confirmation No.: 2872
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Adjustment Date: 08/24/2006
6,457,504 B1, as indicated by assignment duly recorded in the United States Patent and Trademark Office at Reel **010142**, Frame **0216** on **July 30, 1999**.

01/18/2006 HALI11 00000078 060916 10616977
01 FC:1814 130.00 DA

01/18/2006 HALI11 00000078 060916 10616977
01 FC:1814 130.00 CR



PATENT
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Attorney Docket No. 07040.0075-01

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